

Department of Health
Notice of Rulemaking Hearing
Board of Podiatric Medical Examiners
Division of Health Related Boards

There will be a hearing before the Tennessee Board of Podiatric Medical Examiners to consider the promulgation of amendments to rules pursuant to T.C.A. §§ 4-5-202, 4-5-204, and 63-3-106. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Division of Health Related Board's Conference Room on the Third Floor of the Heritage Place Building located at 227 French Landing, Nashville, TN at 2:30 p.m. (CST) on the 19th day of December, 2006.

Any individuals with disabilities who wish to participate in these proceedings (review these filings) should contact the Department of Health, Division of Health Related Boards to discuss any auxiliary aids or services needed to facilitate such participation or review. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date such party intends to review such filings), to allow time for the Division to determine how it may reasonably provide such aid or service. Initial contact may be made with the ADA Coordinator at the Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

For a copy of the entire text of this notice of rulemaking hearing contact:

Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227 French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

Substance of Proposed Rules

Amendments

Rule 1155-2-.08, Examinations, is amended by inserting the following language as new paragraph (4) and renumbering the existing paragraph (4) as paragraph (5):

- (4) Time limit for effectiveness of scores
 - (a) The effectiveness of any examination required by this rule for purposes of measuring competency and fitness to practice podiatry and therefore eligibility for licensure is five (5) years from the date on which the examination was successfully completed. This is the date on which the applicant took the exam and not the date on which passing scores were reported to the Board.
 - (b) An applicant's test score on an examination required by this rule which was taken more than five (5) years before application was made for

licensure in Tennessee will be considered by the Board on a case by case basis after the applicant appears before the Board for an interview.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, 63-3-109, and 63-6-111.

Rule 1155-2-.12, Continuing Education, is amended by inserting the following language as new subparagraph (1) (b) and renumbering the present subparagraphs (1) (b) and (1) (c) as subparagraphs (1) (c) and (1) (d):

- (1) (b) Beginning January 1, 2008, at least one (1) hour of the fifteen (15) hour requirement every other calendar year shall be a course designed specifically to address prescribing practices.

Authority: T.C.A. §§ 4-5-202, 4-5-204, 63-3-106, and 63-3-116.

Rule 1155-2-.19, Board Meetings, Officers, Consultants, Records, Declaratory Orders, Advisory Rulings and Screening Panels, is amended by deleting subparagraph (3) (b) in its entirety and renumbering the present subparagraph (3) (c) as subparagraph (3) (b), and is further amended by adding the following language as new paragraph (8):

- (8) Stays and Reconsiderations – The Board authorizes the member who chaired the Board for a contested case to be the agency member to make the decisions authorized pursuant to rule 1360-4-1-.18 regarding petitions for reconsiderations and stays in that case.

Authority: T.C.A. §§ 4-5-107, 4-5-202, 4-5-204, 63-3-106, and 63-3-119.

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Contact who can answer questions concerning this notice of rulemaking hearing, technical contact for disk acquisition, and person who will approve final copy for publication: Jerry Kosten, Regulations Manager, Division of Health Related Boards, 227

French Landing, Suite 300, Heritage Place, MetroCenter, Nashville, TN 37243, (615) 532-4397.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Board of Podiatric Medical Examiners.

Robbie H. Bell, Director
Division of Health Related Boards

Subscribed and sworn to before me this the 5th day of October, 2006.

Notary Public

My commission expires on the 20th day of March, 2010.

The notice of rulemaking set out herein was properly filed in the Department of State on the ____ day of _____, 2006.

Riley C. Darnell
Secretary of State

By: _____